

On February 5, 1929, the Republic of China (ROC) Government formulated and promulgated 20 articles of the Act.

On February 9, 2000, a revision of the Act was promulgated, whereby the Act was amended to consist of totally 23 articles, in accordance with Decree No. President-(89)-Hua-Zong-Yi-I-Zi-No. 8900032920. The revision came into force immediately on date of promulgation.

On June 20, 2001, a revision of the Act was promulgated, whereby Article 20 of the Act was amended, in accordance with Decree No. President-(90)-Hua-ZongZiNo. 9000118960.

On June 15, 2005, a revision of the Act was promulgated, whereby Articles 3 to 6, and 15 were amended and Article 21 was deleted, in accordance with Decree No. President-(94)-Hua-Zong-Yi-I-Zi-No. 09400088881. On January 27, 2006, a revision of the Act was promulgated, whereby Articles 10 and 20 were amended, in accordance with Decree No. President-(95)-Hua-Zong-Yi-I-Zi-No. 09500011641.

On December 21, 2016, a revision of the Act was promulgated, whereby Articles 3, 4, 9, 11, and 19 were amended, in accordance with Decree No. President-(105)-HuaZong-Yi-I-Zi-No. 1050160001.

On January 27, 2021, a revision of the Act was promulgated, whereby Articles 2, 3, 11, and 23 were amended, in accordance with Decree No. President-(110)-Hua-ZongYi-I-Zi-No.11000006141; and the new revision shall come into force on January 1, 2023.

On December 15, 2021, a revision of the Act was promulgated, whereby Articles 10 was amended, in accordance with Decree No. President-(110)-Hua-Zong-Yi-I-ZiNo. 11000111441

## Article 1

Acquisition, loss, restoration, and revocation of the nationality of the Republic of China (hereinafter referred to as the ROC) shall be subject to the provisions of this Act.

## Article 2

A person shall have the nationality of the ROC under any of the conditions provided by the following Subparagraphs:

1. His/her father or mother was a national of the ROC when he/she was born.
2. He/she was born after the death of his/her father or mother, and his/her father or mother was a national of the ROC at the time of death.
3. He/she was born in the territory of the ROC, and his/her parents cannot be ascertained, or both were stateless persons.
4. He/she has undergone the naturalization process.

The provisions of Subparagraphs 1 and 2 in the preceding Paragraph shall also apply to those under the age of 20 at the time of the amendment and implementation of this Act on February 9, 2000.

## Article 3

Foreigners or those without nationality who currently have a residence within the territory of the ROC while meeting the requirements of the following Subparagraphs may apply for naturalization:

1. Have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years;
2. Have the capacity to act according to the laws of the ROC and their own state.
3. Have no bad conduct or criminal records as certified by the Police Clearance Certificate.
4. Possess enough property or professional skills to support themselves or lead a stable life;

5. Possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals.

The “no bad conduct” prescribed in Subparagraph 3 of the preceding Paragraph shall be determined by the Ministry of the Interior based on the procedures, mechanisms under periodic review, and other methods to be complied with as invited experts, scholars, and social justice personnel discuss.

The standards for the recognition, testing, exemption, fee charging, and other matters to be complied with relate to the “basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals” as prescribed in Subparagraph 5 of Paragraph 1, and shall be determined by the Ministry of the Interior.

#### Article 4

Foreign nationals or stateless persons who currently have domicile in the territory of the ROC, meet the conditions prescribed in Subparagraphs 2 to 5 of Paragraph 1 of Article 3, and have legally resided in the territory of the ROC for more than 183 days each year for at least three consecutive years, may apply for naturalization if any of the following circumstances apply:

1. If married to an ROC national, they are not required to meet the conditions prescribed in Subparagraph 4 of Paragraph 1 of Article 3.
2. They have divorced an ROC national due to domestic violence and have not since remarried, or their ROC spouse has died, and they have not remarried and can demonstrate they remain in contact with family members of their deceased spouse. However, those who had been married to an ROC national for at least two years before his or her death are exempted from the requirement concerning contact with family members.
3. They support their children who possess ROC nationality and are legally incompetent or have limited legal competence, exercise rights and obligations on behalf of such children, and meet and interact in person with them.
4. They have at least one parent who is or was an ROC national.
5. An ROC national has adopted them.
6. They were born in the territory of the ROC.

7. They are the guardian or assistant of an ROC national.

Foreign nationals or stateless persons who are unmarried minors, whose (adoptive) father or (adoptive) mother is an ROC national, who have legally resided in the territory of the ROC for less than three years, and who do not meet the conditions prescribed in Subparagraph 2, 4, and 5 of Paragraph 1 of Article 3, may apply for naturalization.

#### Article 5

A foreign national or stateless person who now has a domicile in the territory of the ROC, if meeting the requisites provided in Subparagraph 2 to Subparagraph 5 of Paragraph 1 of Article 3, under any of the conditions provided by the following Subparagraphs, can also apply for naturalization:

1. He/she was born in the territory of the ROC, and his/her father or mother was also born in the territory of the ROC.
2. He/she has legally resided in the territory of the ROC for more than 10 consecutive years.

#### Article 6

A foreign national or stateless person who has made special contributions to the ROC but does not meet the requisites provided in Subparagraphs of Paragraph 1 of Article 3, can also apply for naturalization.

Preceding permission of naturalization by the MOI shall be approved by the Executive Yuan.

#### Article 7

Unmarried minor children of a naturalized person may apply for accompanying naturalization.

#### Article 8

A foreign national or stateless person who applies for naturalization files the application with the MOI shall acquire the nationality of the ROC from the date of the permission.

## Article 9

Foreign nationals applying for naturalization shall provide a certificate of loss of original nationality within one year from the day of approval of naturalization or from the day of reaching the age at which they may renounce nationality under the law of their original country.

Please submit a certificate of loss of original nationality within the prescribed period to avoid revoking the approval of naturalization. However, an application for a deadline extension may be filed in the event of inability to submit said certificate due to legal or administrative restrictions of their original country as verified by the Ministry of Foreign Affairs.

Foreign nationals shall not be allowed to reside in Taiwan before submitting a certificate of loss of original nationality as prescribed in the preceding two paragraphs.

Foreign nationals may be exempted from submitting a certificate of loss of original nationality if any of the following circumstances apply:

1. They apply for naturalization under Article 6.
2. They are high-level professionals in the technological, economic, educational, cultural, art, sports, or other domains who have been recommended by the central competent authority, whose specialties are deemed to serve the interests of the ROC, and who have been approved through a joint review organized by the Ministry of the Interior and conducted by relevant agencies and impartial individuals.
3. They cannot obtain a certificate of loss of original nationality for reasons not attributable to them.

Standards to define high-level professionals, as referred to in Subparagraph 2 of the preceding Paragraph, shall be prescribed by the Ministry of the Interior.

## Article 10

Naturalized foreign nationals or stateless persons have no right to hold the following government offices:

1. President, vice president.
2. Legislator.
3. Premier, vice premier or minister without portfolio of the Executive Yuan; president,

vice president or Grand Justices of the Judicial Yuan; president, vice president or members of the Examination Yuan; president, vice president, members or auditor-general of the Control Yuan.

4. Personnel specially appointed or designated.
5. Deputy Minister of each Ministry.
6. Ambassador extraordinary and plenipotentiary, minister extraordinary and plenipotentiary.
7. Vice-minister of the Overseas Compatriot Affairs Commission.
8. Other government offices shall be compared with personnel holding selected ranks above the thirteenth grade.
9. General officer of the land, navy, or air force.
10. Local government office position elected by the people.

The previous restrictions shall be lifted after 10 years from the date of naturalization, but if otherwise provided by any other act, the provisions of that act shall prevail.

#### Article 11

Nationals of the ROC under any of the following conditions may lose their nationality of the ROC with the permission of the Ministry of the Interior:

1. Incapable persons or persons without legal capacity who, undertaken by their foreign father, mother, adoptive father, or adoptive mother who exercise their rights and obligations in possession or guardianship, shall acquire the same nationality as their foreign (/foreign adoptive) parents due to their need in living with their foreign (/foreign adoptive) parents outside the territory of the ROC;
2. Be the spouse of a foreigner;
3. Those with legal capacity by the laws of the ROC who voluntarily acquire foreign nationality. However, if subject to the control of assistantship they must obtain the consent of their assistant.

The minor children mentioned in the preceding Paragraph who were married before the amendments to the provisions of this Act came into force on December 29, 2020, shall be entitled to the pre-amendment provisions of the Act after the implementation of the amendments to the Act until they reach the age of 18, if they are still under 18 years old after the implementation of the amendments to the Act.

#### Article 12

For a person who applies to lose his/her nationality according to the preceding Paragraph, under any of the following conditions, the MOI shall not permit the loss of nationality:

1. A male from January 1 of the following year after he was 15 is not exempted from military service and has not fulfilled his military service. However, nationals who resided overseas, were born overseas, had no household registration in the ROC, or moved overseas before December 31 of the year they were 15 years old shall be excluded.
2. He/she is in active military service.
3. He/she now holds a government official of the ROC.

#### Article 13

Under any of the following conditions, a national who meets the provisions of Article 11 shall not lose his/her nationality:

1. He/she is a criminal defendant under investigation or trial.
2. He/she was sentenced to fixed-term imprisonment, and the sentence has not been completely served.
3. He/she is a civil defendant.
4. He/she is the subject of a court judgment or administrative order, and the judgment or order has not been fully executed yet.
5. He/she was pronounced bankrupt, and his/her rights were not restored.
6. He/she must pay overdue tax or arrears of tax penalty.

#### Article 14

For a person who loses the nationality of the ROC according to Article 11, when he/she has not acquired the nationality of another country, his/her loss of nationality may be withdrawn with the permission of the MOI.

#### Article 15

For a person who loses the nationality of the ROC according to Article 11, if he/she now has a domicile in the territory of the ROC and meets the requisites provided in Subparagraph 3 and Subparagraph 4 of Paragraph 1 of Article 3, he/she may apply for restoring his/her nationality of the ROC.

The preceding Subparagraph shall not apply to naturalized persons and their children who naturalized concurrently and lost the nationality of the ROC.

#### Article 16

Minor children of a person who has restored his/her nationality of the ROC may apply for concurrently restoring their nationality of the ROC.

#### Article 17

A person who applies for restoring his/her nationality ~~of the~~ ROC according to Article 15 to Article 16 shall apply with the MOI and shall have his/her nationality of the ROC restored from the date of permission.

#### Article 18

A person who has restored the nationality of the ROC has no right to hold the government offices provided in the Subparagraphs of Paragraph 1 of Article 10 within 3 years from the date of restoration of the nationality. However, if otherwise provided by another act, the provisions of that act shall prevail.

#### Article 19

In addition to revoking approval of naturalization under Paragraph 1 of Article 9, naturalization or loss or restoration of ROC nationality may also be revoked by the Ministry of the Interior within two years of discovering any circumstances that do not conform with this Act. However, naturalization, loss, or restoration of ROC nationality may not be revoked if five or more years have passed since it took effect.



The time restriction on revocation, as described in the preceding paragraph, does not apply to persons who, per a judicial court ruling, have been found to have become naturalized ROC nationals by colluding to conclude a fraudulent marriage or adoption.

Before revoking naturalization, loss, or restoration of nationality, the Ministry of the Interior shall convene a review panel to accord the person concerned an opportunity to state his or her views. However, this shall not apply to the revocation of approval of naturalization in any of the following circumstances:

1. Under Article 2, it has been determined that the person concerned possesses ROC nationality.
2. It has been determined by a final ruling of a judicial court that the person concerned has become a naturalized ROC national by colluding to conclude a fraudulent marriage or adoption.

The review panel referred to in the preceding paragraph shall comprise representatives of competent authorities, impartial individuals, experts, and scholars selected and appointed by the Ministry of the Interior. Neither gender shall constitute less than one-third of the review panel members, while impartial persons, experts, and scholars shall not constitute less than half of the review panel members.

The formation, review criteria, procedures, and other matters of the review panel referred to in Paragraph 3 shall be prescribed by the Ministry of the Interior.

## Article 20

A national of the ROC who acquires the nationality of another country has no right to hold government offices of the ROC. If he/she has held a government office, the relevant authority shall discharge his/her government office; a legislator shall be discharged by the Legislative Yuan, government service personnel elected by the people of a municipality, county(city), township(city) shall be discharged by the Executive Yuan, the MOI, or a county government respectively, a village chief shall be discharged by the township(city, district) office, but the following Subparagraphs shall not be subject to this restriction if provided by the competent authorities:

1. Presidents of public universities, teachers who concurrently serve as administrative governors of public schools of all levels, principals, vice principals or researchers (including researchers who concurrently serve as governors of academic research) of

research organizations (bodies) and principals, vice principals and contracted professionals (including part-time governors) of social education or culture bodies established with the approval of the competent administrative authority of education or culture authorities.

2. Personnel in public-operated utilities other than those who take primary decision-making responsibility for the operational policy.

3. Non-governor positions focusing on technology research and design are regularly engaged through contracts by various authorities.

4. Commissioners without positions engaged through selection for consultation only according to the organizational law by the competent authority of overseas Compatriot affairs.

5. Otherwise provided by other acts.

Persons in Subparagraph 1 to Subparagraph 3 of the preceding Paragraph shall be limited to talents with expertise or special skills that are difficult to find in our country and occupy positions not involving state secrets.

Government services of Subparagraph 1 do not include teachers, lecturers, research personnel, or professional technical personnel who do not concurrently serve as administrative governors at all levels of public schools.

If a national of the ROC who concurrently has the nationality of another country wants to hold a government office limited by nationality as determined by this Article, he/she shall handle the waiver of the other country's nationality before taking office and complete the loss of that country's nationality and the acquisition of certification documents within 1 year from the date of taking office. However, if otherwise provided by another act, the provisions of that Act shall prevail.

## Article 21

( Deleted )

## Article 22

The MOI shall enact the enforcement rules of this Act.

Article 23

This Act shall come into force from the date of promulgation.

The amendments to this Act's articles made on December 29, 2020, shall come into force on January 1, 2023.